

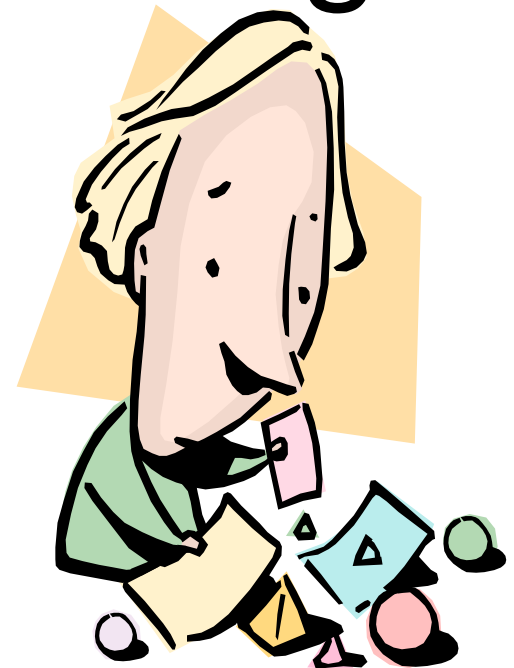


# Writing Workshop

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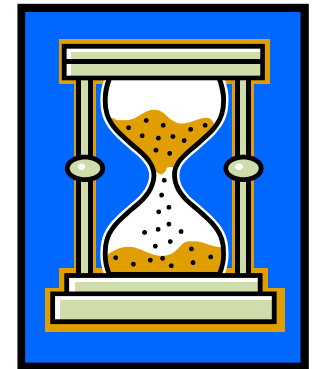
# Fundamentals of the Writing Process: Four Phases

- Pre-Writing and Drafting
- Revising
  - Editing
  - Proofreading



# Timeline

- Time Pressured
- Create mini-deadlines for each phase of the process
- Seventy percent or more of your time should be spent in the first two phases of the writing process



# The legal method of providing written ethics advice.

- Issue
- Rule
- Analysis
- Conclusion

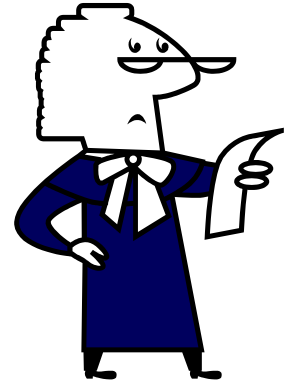


# Issue Spotting

- The **legal question** is often not what the client is asking.
- Determining the issue is a recursive process.
- You must isolate the **relevant facts** and the **applicable rule** to determine the legal question.
- Components may be presented as Under/Does/When in your issue statement.



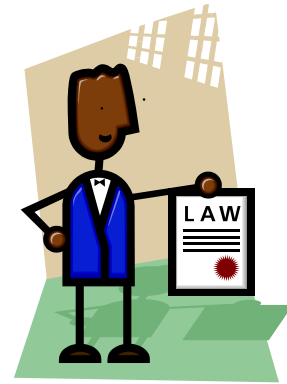
# Rule



- The rule is the controlling authority.
- The elements of the rule are those parts that must be proved or disproved.
- The underlying reasoning or policy of the rule is known as the rule's "intent."

# Helpful tips for creating useful templates.

- Plain language



- Contains the rule and the elements

# Client Interview

- Have I provided you with all the relevant facts to analyze my problem?

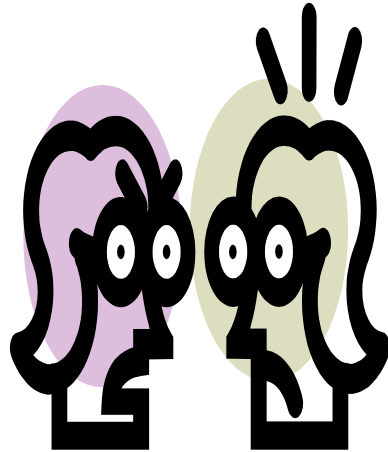




# Disputed Elements

Is Gary's service in the interest of USDA?

Will Gary's testimony relate to his official duties?





# Analysis

- Apply each element of the rule to the relevant facts.
- Is there an appropriate order to consider each element?
- This will become the discussion section of your memorandum.

# Conclusion



- A declarative sentence that answers the issue.
- You will be led to your conclusion by identifying facts that prove or disprove each element of the rule.
- It should be the mirror image of your issue statement.

# Using deductive reasoning

- All humans are mortal
- Socrates is human.
- Therefore, Socrates is mortal.



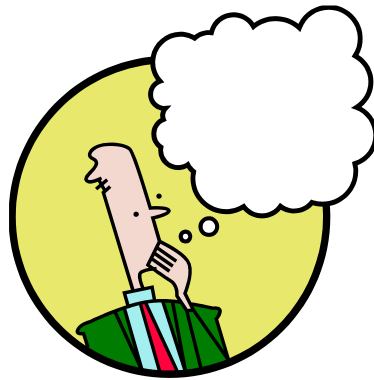
# Does Sir Bedevere's reasoning move from a rule to a conclusion?

- Sir Bedevere: There are ways of telling whether she is a witch. What do you do with witches?  
Peasant 1: Burn them.  
Sir Bedevere: And what do you burn, apart from witches?  
Peasant 2: Wood.  
Sir Bedevere: Good. Now, why do witches burn?  
Peasant 3: ...because they're made of... wood?  
Sir Bedevere: Good. So how do you tell whether she is made of wood?  
Peasant 1: Build a bridge out of her.  
Sir Bedevere: But can you not also build bridges out of stone?  
Peasant 1: Oh yeah.  
Sir Bedevere: Does wood sink in water?  
Peasant 1: No, no, it floats!... It floats! Throw her into the pond!  
Sir Bedevere: No, no. What else floats in water?  
Peasant 1: Bread.  
Peasant 2: Apples.  
Peasant 3: Very small rocks.  
King Arthur: A Duck.  
Sir Bedevere: ...Exactly. So, logically...  
Peasant 1: If she weighed the same as a duck... she's made of wood.  
Sir Bedevere: And therefore...  
Peasant 2: ...A witch!



# Pre-Writing

- Moving from thought to writing
- How do you get your ideas on the page?



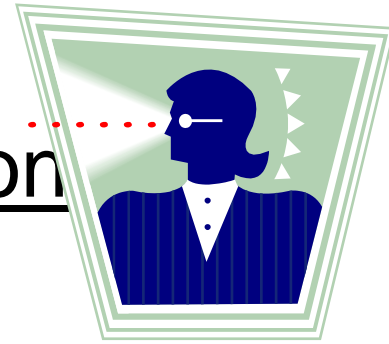
# Creating Roadmaps

- How would you write a roadmap to take me from my issue to your conclusion? What techniques would you use to keep me oriented?



# Revising a Draft

Focus: Large Scale Organization

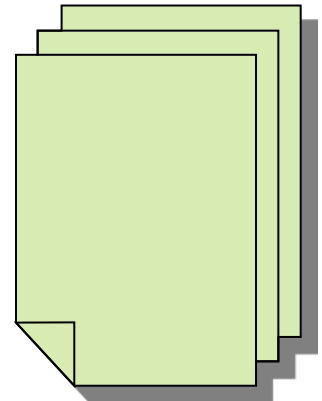


- Does your memorandum begin with a roadmap?
- Are your paragraphs structured so that your reasoning is transparent?
- Are you using writing techniques such as transitions between sentences and words and phrases to keep the reader oriented?



# Revision (large scale organization)

- Is there an interrelationship between the parts of your memorandum?
- Is the organization of your discussion dictated by the elements of the rule?
- Avoid over-simplification!



# Editing and Proofreading

## Focus: Small Scale Organization

- Read each sentence for grammatical correctness
- Examine language to determine if there is a better word choice
- Read out of order to find errors
- Begin with what was written last or written when you were most tired



# Editing and Proofreading (small scale organization)

- Avoid over-writing
- Use the [www.plainlanguage.gov](http://www.plainlanguage.gov) website
- plain language is defined by results—it is easy to read, understand, and use.
- Use your style book



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